

OK

| | | | |
|-------------------------------|------------------------|---------------------|--|
| Notice of Allowability | Application No. | Applicant(s) | |
| | 10/615,437 | SATO ET AL. | |
| | Examiner | Art Unit | |
| | Allyson N Trail | 2876 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 12/27/2004.
2. ☒ The allowed claim(s) is/are 1-5.
3. ☒ The drawings filed on 27 December 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____ 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|---|---|

DETAILED ACTION

Amendment

1. Receipt is acknowledged of the Amendment filed December 27, 2004.

Remarks

2. The previous office action indicated claims 1-5 to be in condition for allowance except for a few formal matters. Claim 1 and figure 1 were objected to because of minor informalities. In response thereto, both claim 1 and figure 1 have been amended to overcome the objections. In view of the current amendments and remarks, the present application is now in condition of allowance.

Allowable Subject Matter

3. Claims 1-5 are allowable over prior art..
4. The following is an examiner's statement of reasons for allowance: The best prior art of record, taken alone or in combination, fails to specifically teach or fairly suggest the computer system used to predict a future failure as disclosed in the current invention. Although prior art has teachings of error detection and error prevention used for communication at an ATM, the prior art taken of record fails to teach each of the specific and detailed limitations of the claimed error prediction system. The claimed computer system includes a processing computer. The processing computer is used for executing a predetermined process in response to an electronic message received from a terminal and for returning an electronic message to a sender of the received electronic message. The system also includes a message broker for relaying electronic messages, which are transferred between the terminal and the processing computer. Further included in the claimed computer system is a surveillance computer, which is connected to the

Art Unit: 2876

message broker via telecommunication circuit. More specifically, the computer system further includes a transmission means for periodically transmitting dummy electronic messages from the surveillance computer to the processing computer via the message broker. Once received by the processing computer the transmission means then returns the dummy electronic messages from the processing computer back to the surveillance computer via the message broker. Another key element in the claimed computer system is the recording means. The recording means is used for marking time information indicating the present time on a dummy electronic message. The timing of receiving a dummy electronic message and/or transmitting a dummy electronic message and/or executing a process based on the dummy electronic message at least in the message broker and in the processing computer is recorded. Lastly, an error prediction means is included in the claimed computer system. The error prediction means makes a storing means of the surveillance computer store time information marked on a dummy electronic message, which is being returned to the surveillance computer from the processing computer via the message broker. The error prediction means is also used for predicting an error occurrence in the computer system base on a mean value of elapsed time that it takes for the dummy electronic message to be returned to the surveillance computer, which originally transmitted the dummy message, from the processing computer via the message broker. The claimed computer system is not taught in prior art and moreover, one of ordinary skill in the art would not have been motivated to come to the claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Allyson N. Trail* whose telephone number is (571) 272-2406. The examiner can normally be reached between the hours of 7:30AM to 4:00PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (571) 272-2398. The fax phone number for this Group is (703) 872-9306.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [allyson.trail@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Allyson N. Trail
Patent Examiner
Art Unit 2876
January 16, 2005



KARL D. FRECH
PRIMARY EXAMINER